

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

TROY DOUGLAS, )  
                    )  
Plaintiff,       ) Civil Action No. 15-938  
                    )  
v.                 ) Judge Cathy Bissoon  
                    ) Chief Magistrate Judge Maureen P. Kelly  
UNIVERSITY OF PITTSBURGH, )  
                    )  
                    )  
Defendant.       )

**MEMORANDUM ORDER**

This case was referred to United States Magistrate Judge Maureen P. Kelly for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. §§ 636(b)(1)(A) and (B), and Local Rule of Civil Procedure 72.

On October 24, 2016, the Magistrate Judge issued a Report (Doc. 46) recommending that Defendant's Motion to Summary Judgment (Doc. 36) be denied as to Count 1 and be granted as to Counts II and III. Service of the Report and Recommendation was made on the parties, and no objections have been filed.

After a review of the pleadings and documents in the case, together with the Report and Recommendation, IT IS HEREBY ORDERED that Defendant's motion for summary judgment (Doc. 36) is GRANTED IN PART AND DENIED IN PART, as follows:

- (i)     Defendant's Motion for Summary Judgment as to Count 1 is DENIED;
- (ii)    Defendant's Motion for Summary Judgment as to Count II is GRANTED and Count II hereby is DISMISSED with prejudice;

(iii) Defendant's Motion for Summary Judgment as to Count III is GRANTED and  
Count III hereby is DISMISSED with prejudice.

The Magistrate Judge's Report and Recommendation dated October 24, 2016, hereby is  
adopted as the Opinion of the District Court.

IT IS SO ORDERED.

November 14, 2016

s/Cathy Bissoon

Cathy Bissoon  
United States District Judge

cc (via ECF email notification):

All counsel of record